

A regular meeting of the Board of Selectmen was held on Thursday, April 8, 2010, at 7:00 p.m. in the Francis O'Brien Meeting Room, Town Office Building, 26 Bryant Street, Dedham, Massachusetts.

Present were:

Michael L. Butler
Sarah E. MacDonald
James A. MacDonald
Carmen Dellolacono
Paul Reynolds

Mr. Butler called the meeting to order at 7:05 p.m.

OPEN DISCUSSION

Mr. Butler asked if anyone in the audience this evening had any questions for the Board of Selectmen. Hearing no response, Mr. Butler moved along to the next agenda item.

REVOCATION HEARING CLASS II LICENSE RE: HANNA AUTO SALES, 84 CURVE STREET

Mr. MacDonald made a motion to postpone and continue the Public Hearing relative to Hanna Auto Sales, 84 Curve Street, to a future Board of Selectmen's Meeting; seconded by Ms. MacDonald. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

REQUEST CHANGE OF MANAGER—JOE'S AMERICAN BAR & GRILL, 985 PROVIDENCE HIGHWAY, ALAN CAMPBELL, MANAGER

Representing Joe's American Bar & Grill was Alan Campbell, Manager. Mr. Campbell informed the Board that he has been employed with the Back Bay Group for the past nine years. Mr. Campbell went on to say that he was the former General Manager/ Manager of Record at the Braintree Joe's American Bar and Grill. Additionally, in December, 2009, he has been assigned to the Dedham Joe's American Bar & Grill.

Mr. Dellolacono asked Mr. Campbell if he is listed, Manager of Record, on any other Liquor License in the State of Massachusetts. Mr. Campbell responded, no. Mr. Dellolacono asked Mr. Campbell if he will be working 55+ hours at the Dedham Joe's American Bar & Grill. Mr. Campbell responded, yes. Mr. Dellolacono asked Mr. Campbell a question relative to his Rhode Island residence. Mr. Campbell responded that he has since moved and presently has a one-hour commute to work from his home.

Ms. MacDonald asked Mr. Campbell if there were any violations at the Braintree Joe's American Bar and Grill when he was General Manager/Manager of Record. Mr. Campbell responded, no.

Mr. Butler asked Nancy Baker, Asst. Town Administrator, the status of Mr. Campbell's CORI. Ms. Baker informed all that the CORI came back negative.

Mr. MacDonald, made a motion to approve Alan Campbell the Manager of Record; seconded by Mr. Dellolacono. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

ADOPTION OF POLICY DIRECTIVE #10 – Ms. MacDonald made a recommendation to reaffirm Policy Directive #10; seconded by Mr. Dellolacono. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

ESCO PRESENTATION

Present were: Roland Bousco, Siemens, Mariellen Murphy, Finance Director, Robin Reyes, Treasurer/Collector and Audrey Insalco, Procurement.

Mr. Bousco gave all some background information—

- RFP originally out in late 2008, efforts were abandoned due to concerns expressed By DOER and IG;
- Consulted with DOER and IG to revamp the RFP;
- IG's Office issued an advisory for procurement of Energy Mgmt. Services. Their Recommendation to Towns was that a consultant be obtained with expertise to verify and validate the estimates;
- DOER provided technical assistance/training on benefits and details of Energy Mgmt. Services Contracts;
- Research confirmed this was promising avenue to pursue; however, had to be diligent;
- Town Meeting authorized undertaking this endeavor at the ATM, May 2009, Article 12;
- Working Group Formed, including: Town Administrator, School Superintendent, Finance Director, Treasurer/Collector, Town's Purchasing Agent, School Business Manager, Town and School's Facilities Managers and BPCC Chairman;
- Energy Mgmt. Services Contract has three core components, including: Technical, Financial and Contractual;
- Obtained outside assistance from Source One (Technical Advisor), Unibank (Town's Financial Advisor), and Beacon Integrated Solutions (Contract & ESCO Advisor);
- Issued RFP, had Informational Meetings and received eight responses;
- Working Group along with assistance from Beacon Integrated Solutions and Source One had presentations from four firms—Siemens was selected;
- Working Group diligently working over the last few months to finalize details for groups and Town Meeting.—detailed information demonstrates excellent effort of all parties;
- Project is a major town-wide undertaking in construction and rehabilitation on most bldgs;
- Working Group believes project makes sense from both energy and financial standpoint;
- Need Selectmen's support and endorsement of recommendation to Town Meeting for a Borrowing authorization for the total project;
- Town will borrow only what is necessary. Additionally, the Town will benefit over the life of the project and thereafter.

Mr. Bousco explained Performance Contracting—Performance Contracting is a legislated process MGL, Chapter 25A, Section 11i and 11c) which allows municipalities to procure infrastructure projects without the need of any capital. Repayment of all costs over time and based on on-going utility savings. ESCO typically handles/coordinates all aspects of the project—develop, design, finance, construction And maintenance.

Mr. Bousco explained how it works— The ESCO focus is on the total life cycle cost of ownership— Guaranteed performance, Single source responsibility, Improvements with minimal to no impact to taxpayers and supported by Massachusetts enabling legislation.

The Dedham Project is as follows: Lighting and Lighting controls, Unit Ventilators Replacements, Steam System Improvements, Energy Efficient Windows, domestic Water Upgrades, Vending Machine Controllers, LED Traffic Signals, Energy Management System, Boiler Replacements, Building Envelop Improvements, Network Controllers, Domestic Hot Water Upgrades, Infrared Heat, Walk-in Freezer Controls and a new Pool Air Handler and Pool Cover.

Finances relative to the Dedham Project are as follows: The estimated cost is \$12,344,681.00; Estimated guaranteed annual savings is \$507,523.00; Estimated Utility Incentives are \$300,000.00; and grants are \$600,00.00. Mr. Bousco summarized the project's emissions, grants and rebates and the potential timeline.

Ms. MacDonald thanked the Working Group for their diligent efforts. Mr. MacDonald thought the presentation this evening was very good; however, he had concerns with how the Town would fund this debt. Mr. Keegan informed him that the Town centralized costs a few years ago town-wide. Additionally, he will work closely with the School Department. Ms. Murphy added that she has met with the School Business Manager and has costs and numbers going forward. Mr. Dellolacono had concerns with air quality and how the system would filter out airborne exchanges. On another point of information, Mr. Bousco informed all that the life cycle value of the project is above twenty years.

Mr. Dellolacono asked that the presentation be taken on the road to Town Meeting Members to explain the projects and educate. Mr. Keegan, Town Administrator, suggested a presentation at the Town Meeting Members Re-Organization Meeting at the Endicott Estate.

Rob Naser, BPCC Chairman & Working Group Member discussed the financial and eco savings. He commented on the opportunity for professional technical people to come in make decisions across the Town and noted that Department Heads are not necessarily technically skilled in facilities. Mr. Naser commented on the importance of data to back up changes and how this process is critically important relative to buildings that will, at some point, be on the capital improvement budgets down the road. Mr. Naser thought the information relative to this project will serve as a good management tool and that the data gathered will be put to good use. Additionally, all manuals/warrantees will be maintained in one place-- everything will be standardize going forward.

Mr. Reyes remarked that this will be a twenty-year project (1 ½ years of construction and 18 years of maintenance). There will be baselines in every building and the Town will know the savings in each building—having the measurements will make it work. Mr. Reyes went on to say that the measurements will be known after a few years and will verify if the project is working. Going forward, baselines will be reviewed year after year for verification and the Management System will generate these reports.

Mr. MacDonald asked what would happen if the vendor left. Mr. MacDonald was informed that Siemens has a Performance Bond relative to the project.

Stephen MacAusland, Town Meeting Member, thought this was a great project. He had some questions that he would like to have answered before Town Meeting—Geothermal Heating and Solar Panels for

the roofs. Mr. Bousco informed all that there is a grant for portable panels for the Town Hall and Department of Public Works.

Mr. Keegan announced to the audience the following ESCO Meeting dates: April 15, 2010, Town Meeting Representatives Re-Org, Endicott Estate and May 10, 2010, at the Mini Town Meeting, Avery School.

TOWN ADMINISTRATOR'S EVALUATION

For the record, Selectman Michael Butler read the following Performance Evaluation of Town Administrator, William G. Keegan, Jr., dated April 8, 2010:

It is the responsibility of the chairman of the Board of Selectman to collect evaluations and review the performance of the Town Administrator. The first step is a self-evaluation by Bill Keegan followed by each member of the Board of Selectmen submitting one to me. I then review the overall performance evaluation with Bill.

Bill is evaluated on his knowledge, leadership, communication, human relations, planning and initiatives for the previous year. Bill has received 23.5 on his initiatives, 23 on knowledge, 22.5 for planning, 21.5 for leadership and human relations and 20 for communication. The maximum for each category is 25. His overall average is 4.4 out of a possible 5.0.

In reviewing each of the above categories, I will use parts of the evaluation submitted to me by the Board.

Knowledge—"I can say that I am continually impressed with Bill's ability to manage a hugely complicated operation; and at the same time, with a vision for moving Dedham forward with innovative best-practices, often reaching beyond our borders to research how others might be doing it better than us and making efforts to bring in those innovations where possible."

"Bill continues to demonstrate his ability to grow as an executive in government. His tenure in Dedham will allow him to continue to gain an understanding of our community."

"Bill has shown a commitment to professional development and being proactive in developing the skills necessary to run this Town. He has spent time researching best practices from other towns or organizations when considering new programs or changes in service."

Leadership—"On this subject, I think Bill does a good job working with his staff. Bill's weekly/ monthly meetings give every Department Head a chance to offer new ideas and follow up on old ones."

"Bill continues to improve his relationships with Town Staff. There is still work need to get all departments on board with common goals and putting weight in those goals in order to change day-to-day behaviors (for example, many departments have not gotten up to par on their website participation/presence)."

"Bill has created a team of top talent. The team delivers high quality services and provides excellent customer service. He has maintained a motivation level in the face of some belt-tightening and hiring freezes."

Communication—"Communication is a difficult area to grade. As Bill points out—you can do a hundred things correct, but slip up on one and that is how you are judged. Fair or unfair, there is some truth to that statement. Focusing on Board communication, there is always room for improvement. One way to improve is to follow up on requests made at board meetings, which do not always happen timely.

"Very strong written skills. My personal experience: He makes regular phone calls, writes concise e-mails and promptly responds to most of my requests. Generally speaking, the communications effort has been very solid."

Human Relations—"If Bill wasn't a good listener with ability to navigate around obstacles, he wouldn't have got us all this far. So I give him kudos despite the challenges."

"I truly believe Bill did the best he could this past year with the scope of HR challenges facing the Town. His limitations, in my opinion, do not reflect on him, but instead on the Town's need for a HR professional on staff."

"Bill continues to be a resource for HR issues facing not only areas under the Board of Selectmen but other departments as well."

Planning—"Bill has a good working relationship with the (Director of Finance) which is a big plus on the planning of Town Finances. Our bond rating is proof of what good financial planning can do."

"His budget reflects an ability to project 18 months ahead and assess Town needs. In conjunction with the Finance Committee, the Town is using a long-range planning tool. No doubt, this is a pretty complex environment and Dedham offers a wide range of services. I think he does a very, very, good job with this aspect of his job."

Initiative—"It was nice to see that the projects that Bill mentioned were completed this past year and that he worked well with the groups."

"There have been a lot of initiatives that have been successful. Bill needs to constantly keep affordability in the forefront of any discussion."

*It is the collective opinion, based on the performance evaluations completed by the Board of Selectmen, that Bill Keegan, as Town Administrator, has shown that his accomplishments exceeded expectations for the position in most areas and fully met the requirements in all others. Work is performed in a highly effective manner.

Selectman Michael Butler, Chairman, and William Keegan, Town Administrator, both signed the above-referenced document indicating that they have met with each other to discuss this review. (Document was signed on April 8, 2010).

At the conclusion of the review, Mr. Keegan thanked the Board of Selectmen. He commented on his progress and how rewarding the past year has been. Mr. Keegan went on to say that he enjoys working in Dedham and very glad that he did not leave because Dedham is a great place to work and his team is great—the best in the business. Mr. Keegan thanked his staff, boards, committees and residents. Mr. Keegan commented that he is looking forward to an exciting future in the Town of Dedham.

Town Administrator's Report

Mr. Keegan gave the Board an update relative to the meeting with the Outdoor Advisory Board and Route 128 Billboard. Additionally, he updated the Board relative to the Spring Roadwork—On Monday, April 12, 2010, roadwork will commence on Riverside and E. Riverside Drive (residents will receive notices tomorrow). Mr. Keegan informed all that there will be a special section on the Town Website to follow the DPW construction.

Mr. Keegan informed all that the Town of Dedham has received the E-Gov Award with distinction for the second year. Additionally, this is the third year the Town has received an award.

Mr. Keegan informed all that the state is pouring a new deck on the Bridge Project Route 1A next Tuesday, April 13, 2010. (Mr. Keegan received a formal notification today.) Mr. Dellolacono asked Mr. Keegan if there will be police coverage at Chickering Road. Mr. Keegan responded, yes—arrangements have been made for Police Details.

Action by the Board

Request for a Drainlayer's License—Mr. Dellolacono made a motion to approve a Drainlayer's License to Federico Company, P.O. Box 712, Newton, MA; seconded by Mr. MacDonald and voted unanimously.

Request for a Drainlayer's License—Mr. Dellolacono made a motion to approve a Drainlayer's License to F & R Leone, Inc., 10 Beech Street, Newton, MA; seconded by Mr. MacDonald and voted unanimously.

Request a One-Day Common Victualler's License and One-Day Transcient Vendor's License from the Bay State Auto Club—Mr. MacDonald made a motion to grant a One-Day Common Victualler's License and One-Day Transcient Vendor's License to the Bay State Auto Club for their Antique Auto Show to be held at the Endicott Estate, East Street, Dedham, on Sunday, July 11, 2010; seconded by Mr. Dellolacono and voted unanimously.

Request from Matthew A. Lupica for a Constable License—Ms. MacDonald made a motion to grant a Constable License to Matthew A. Lupica; seconded by Mr. MacDonald and voted unanimously.

Selectmen's Meeting Minutes of February 4, 2010—The Board postponed their vote on this set of meeting minutes in order to give Ms. MacDonald additional time to review.

OLD/NEW BUSINESS

Village Manor Violation Hearing (under advisement) —Based on the testimony and Town Counsel, Mr. MacDonald made a motion to continue the hearing without a finding for six months; seconded by Mr. Dellolacono. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

Mr. MacDonald asked that Mass Highway be contacted to pick up excessive trash buildup on Route 1 from Mattress Discounter to the Auto Dealers.

Ms. MacDonald informed all that the Dedham Square cleanup on April 24, 2010. Additionally, the April/May cleanups will be posted on the Town Website.

Mr. Reynolds informed all that the Oakdale residents have launched a new neighborhood group, Oakdale Square Alliance. Their next meeting will be on April 15, 2010, 7:00 p.m. at Church of the Good Shepherd.

Mr. Butler informed all that Dedham Public TV is offering a six-week course "Do you want to be Famous". The course will begin on May 10, 2010 at 6:00 p.m.

Relative to Wigham Pond and the elevated water level, Mr. Butler asked that a letter be sent to the neighbors giving them an update of the situation. The letter should give a beaver update, what to expect over the next month and mosquito control. He asked that letters be sent to Jersey Street, W. Jersey Street, Endicott Street, Wentworth Street, Ice House Lane and Autumn Lane. Mr. Reynolds thanked Mr. Dellolacono for bringing the complex issue of the beavers to the Board's attention.

Call for a Violation Hearing – Dedham American Legion, Eastern Avenue

Mr. MacDonald made a motion to call for a Violation Hearing relative to an incident that took place on March 21, 2010, at the Post 18 Dedham American Legion, 155 Eastern Avenue; seconded by Mr. Dellolacono. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

Mr. MacDonald asked that club management be asked to attend the Violation Hearing.

Mr. MacDonald made a motion to enter into Executive Session pursuant to M.G.L. Chapter 39, Section 23B, relative to Collective Bargaining and Litigation; seconded by Ms. MacDonald. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

The Board did not reconvene in open session.

The meeting adjourned at 8:55 p.m.

This is to certify that the above is a true and accurate record of the Minutes of the Board of Selectmen's Meeting held on April 8, 2010, which Minutes were approved on September 30, 2010.

Michael L. Butler, Chairman